

OFFICIAL GAZETTE

GOVERNMENT OF GOA

EXTRAORDINARY

GOVERNMENT OF GOA

Tourism, Information and Transport Department

Notification

5/17/87-TIT(TPT)

The following draft amendment which is proposed to be made to the Goa, Daman and Diu Motor Vehicles Rules, 1965, is hereby prepublished as required by sub-section (1) of section 133 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), for information of the persons likely to be affected thereby and notice is hereby given that the said draft amendment will be taken into consideration by the Government on the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the draft amendment may be forwarded to the Under Secretary to the Government of Goa, Transport Department, Secretariat, Panaji, before the expiry of thirty days from the date of publication of this Notification in the Official Gazette so that they may be taken into consideration at the time of finalisation of the amendments.

DRAFT AMENDMENT

In exercise of the powers conferred by section 41 read with section 38 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), and all other powers enabling him in that behalf, the Government of Goa, hereby makes the following rules so as to further amend the Goa, Daman and Diu Motor Vehicles Rules, 1965, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa, Daman and Diu Motor Vehicles (Amendment) Rules, 1987.

(2) —They shall come into force at once.

2. *Amendment of rule 3.10.*— In rule 3.10 of the Goa, Daman and Diu Motor Vehicles Rules, 1965 (hereinafter called the "principal Rules"),

(i) after the words "Inspector of Motor Vehicles" or "Inspector", wherever they occur, the

words "or any other authorised testing station" shall be inserted;

(ii) after the words "by whom", the figure and word "/which" shall be inserted.

3. *Insertion of new rule.*— After rule 3.10 of the principal Rules, the following rule shall be inserted, namely:—

3.10 (A) *Authorised testing stations.*— (1) The Director of Transport may on receipt of applications from workshops having all the necessary facilities for carrying out all minor and major repairs, recognise them by issue of a licence as authorised testing station. Any application for this purpose shall be addressed to the Director of Transport giving the following details:—

(i) Name of the applicant.

(ii) Place where the premises of the workshop are located.

(iii) Area available for the workshop and parking of vehicles.

(iv) Facilities available for minor and major repairs.

(v) Name of the owner and mechanic.

(vi) Any other details as required by the Director of Transport.

(2) The licences for authorised testing stations shall be given by the Director of Transport after he is fully satisfied about the facilities available in the workshop and the qualifications of the Mechanic employed in the workshop. A licence fee of Rs. 100/- shall be charged. Such licences shall be valid for one year and may be renewed within one month from the date of expiry of the licence. The renewal fee shall be Rs. 50/-. Any application received after the lapse of such one month shall be treated as a new application and the licence fee chargeable will be Rs. 100/-.

(3) The fitness certificate shall be issued by an authorised testing station on payment of testing fee of Rs. 25/- only. Repair charges, if any, will be charged separately by the workshop through proper receipts. The certificate shall be signed only by the qualified mechanic of the authorised testing station.

(4) If the certificate of fitness is not found to be correct or if a certificate of fitness is issued without exercising due care and diligence by the authorised testing stations, the Director of Transport may, either on receipt of information or on his own motion, cause an enquiry to be held into the matter. If it is established in the enquiry that the certificate was issued without exercise of due care and diligence, the owner of the workshop shall be liable for a fine not exceeding Rs. 500/- in a single case.

(5) The Director of Transport or any authorised Officer of the Transport Department including and above the rank of Inspector of Motor Vehicles, may inspect the premises of the workshop at any time. The authorised testing station shall make available all the necessary information and access for facilitating such inspections. If the facilities are found inadequate or if the qualified mechanic is not available, the Director of Transport or such other authorised Officer may issue a show cause notice to the concerned authorised testing station and may cancel the licence if it is found that the necessary conditions are not being fulfilled or observed.

(6) The authorised testing station shall employ a mechanic having the minimum qualifications of ITI Trade Certificate in Automobile Engineering.

(7) Each authorised testing station shall keep a register regarding the issue of certificate of fitness containing the number of certificate, owner of the vehicle, number of vehicle, date of testing, date of issue of the certificate and the acknowledgement of the representative of the vehicle. The certificate shall be issued in Form H as set forth in the First Schedule of the Motor Vehicles Act, 1939. The duplicate of the certificate shall be retained in the book of such certificates.

4. *Amendment of rule 3.11.* — In rule 3.11 of the principal Rules, after the words "Inspector of Motor

Vehicles", the words "or authorised testing station" shall be inserted.

5. *Insertion of new rule 3.11A.* — After rule 3.11 of the principal Rules, the following rule shall be inserted, namely: —

"3.11A. *Cancellation of certificate of fitness.* — Only the Inspector of Motor Vehicles or any other Officer authorised by the Director of Transport in this behalf, shall be competent to cancel the certificate of registration issued under rule 3.11".

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary to the Govt. of Goa, Transport Department.

Panaji, 16th July, 1987.

Corrigendum

5/53/85-TIT(TPT)

Read: Government Notification No. 5/53/85-TIT(TPT) dated 3-7-1987.

In the Notification No. 5/53/85-TIT(TPT) dated 3-7-1987, the letters "GGW" and "GGX" appearing in the first column of the "First Schedule", against the item "Vehicles in the possession of dealers or manufacturers having trade certificates", shall be deleted and after the letters "GGV" appearing in the first column against the item "Transport vehicles", the letters "GGW" and "GGX" shall be added.

P. S. Nadkarni, Under Secretary to the Government of Goa, Transport Department.

Panaji, 15th July, 1987.